

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 JOHN KENNEY,

4 Plaintiff,

3:20-CV-0366-MMD-CLB

5 v.

ORDER

6 SGT. COLBERT,

7 Defendants.  
8

9 The Office of the Attorney General did not accept limited service for the purpose of  
10 mediation on behalf of Defendant Colbert because “based upon the information provided  
11 within the complaint, the Attorney General’s Office is unable to identify Defendant Colbert.”  
12 (ECF No. 8). Plaintiff’s complaint is limited to one date, January 26, 2019, at the Northern  
13 Nevada Correctional Center<sup>1</sup> (“NNCC”). (ECF No. 6).

14 The court ordered the Office of the Attorney General (“AG”) to contact the Nevada  
15 Department of Corrections (“NDOC”) to determine if anyone with the last name “Colbert”<sup>2</sup>  
16 worked at NNCC on January 26, 2019 to identify the named defendant (ECF No. 10). The  
17 AG reported back to the court that Associate Warden Robert Hartman reviewed the incident  
18 report and shift logs for the date in question and was unable to identify any Officer or  
19 Sergeant with a name remotely similar to “Colbert.” (ECF No. 12).

20 Therefore, plaintiff shall file a notice further identifying defendant “Colbert” on or  
21 before **Friday, May 28, 2021**. If plaintiff is unable to further identify defendant “Colbert,” he  
22 shall show cause why this this case should not be dismissed.

23 **DATED:** May 11, 2021

24   
UNITED STATES MAGISTRATE JUDGE

25  
26 <sup>1</sup> The court incorrectly named Ely State Prison. In fact, the incident took place at the Northern Nevada  
Correctional Center.

27 <sup>2</sup> Or similarly spelled name.